

REMARKS

In the Office Action dated November 21, 2006, claims 1-12, 14-27 and 29-48 are pending. An indication of allowable subject matter was not made in the Office Action due to the indefiniteness rejection set forth below. Claims 1-12, 14-27, 29-48 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 20-23, 35, 37, 43, and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. No new matter is being introduced by way of the amendments.

With regard to the rejection of claims 1-12, 14-27, and 29-48 under 35 U.S.C. 112, first paragraph, Applicants note that on page 9, line 5 of the originally filed application it is described that the apparatus includes an air ionizer for feeding ionized air into the apparatus to reduce any static electronic charge build-up. The ionized air has the combined effect of reducing the likelihood of sparking and possible subsequent ignition of any airborne toner powder during the shredding cartridge process. Thus, and in response to the rejection, Applicants respectfully submit that the originally filed application as a whole makes it clear that the extraction of air from the hopper to collect toner particles released from the broke up cartridges does not negate the feeding of ionized air into the apparatus. That is, the ionized gas is not immediately withdrawn from the hopper before it can perform its intended function. Accordingly, Applicants respectfully submit that the originally filed specification enables one skilled in the art to make and use Applicants' claimed invention.

With regard to the rejection of claims 20-23, 35, 37, 43, and 46, Applicants have amended these claims as suggested in the Office Action. Accordingly, Applicants respectfully request that the rejection of claims 20-23, 35, 37, 43, and 46 be withdrawn.

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Applicants believe no fees are due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2816, under Order No. 024907.0103PTUS from which the undersigned is authorized to draw.

Dated: March 20, 2007

Respectfully submitted,

By 
Gary B. Solomon

Registration No.: 44,347
PATTON BOGGS LLP
2001 Ross Avenue, Suite 3000
Dallas, Texas 75201
(214) 758-1500
(214) 758-1550 (Fax)
Attorney for Applicant